

REMARKS

Claims 1-8, 12-17 and 19-23 are pending in the present application. Claims 1-21 have been cancelled. Claims 22 and 23 have been amended. Claims 24-29 have been added. Therefore, claims 22-29 will be pending upon entry of the present amendment.

Claims 22 and 23 were amended to clarify the invention. Support for new claims 24-29 can be found, for example, at least in the claims as originally filed and on page 4, lines 2-9 and 24. No new matter has been added.

Information Disclosure Statement

Applicants note that some of the references cited on the Information Disclosure -statement filed on November 8, 2004, had not been considered by the Examiner, because the Examiner was not able to locate the references in the parent file. However, based on a conversation between the Examiner and Applicants' attorney on August 7, 2006, the references had been subsequently located and the Examiner indicated that these references would be considered.

In addition, legible copies of the references cited in the Information Disclosure Statement of December 18, 2006 have also been re-submitted for the Examiner's consideration.

Rejection of Claims 19-23 under 35 U.S.C. § 101

Claims 19-23 were rejected under 35 U.S.C. § 101 as lacking utility. In particular, the Examiner noted that the claims are directed to methods of "eliminating Huntington's disease" and that "Applicants fail to provide a credible assertion that such a method exists." Claims 19-21 have been cancelled, thus rendering the rejection of these claims moot.

Applicants traverse. However, in the interest of expediting prosecution of the application, the pending claims have been amended such that methods for eliminating Huntington's disease are no longer claimed. Therefore, Applicants respectfully request that this rejection of claims 19-21 under 35 U.S.C. § 101 be withdrawn.

Rejection of Claims 1-8, 12, 13, 15-17, 19 and 20 under 35 U.S.C. § 103(a)

Claims 1-8, 12, 13, 15-17, 19 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ericinska *et al.*, *Journal of Cerebral Blood Flow and Metabolism*, 9:2-19 (1989); in view of Beal *et al.*, *Journal of Neurochemistry* 57(3):1068-1073 (1991), in view of Roberts *et al.*, *American Journal of Physiology* 243(6):H911-H916 (1982).

Applicants respectfully traverse. However, in the interest of expediting prosecution of the application, claims 1-8, 12, 13, 15-17, 19 and 20 have been cancelled, thus rendering the rejection of these claims moot. Therefore, Applicants respectfully request that this rejection of the claims under 35 U.S.C. § 103(a), be withdrawn.

Rejection of Claim 14 under 35 U.S.C. § 103(a)

Claim 14 is rejected as being unpatentable over *Ericinska et al.*, *Beal et al.*, *Roberts et al.*, in view of *Nuti et al. Riv. Neur.* 61(6):225-7 (1991). Applicants respectfully traverse this rejection.

Applicants respectfully traverse. However, in the interest of expediting prosecution, claim 14 has been cancelled, thus rendering its rejection moot. Therefore, Applicants respectfully request that this rejection of claim 14 be withdrawn.

SUMMARY

Amendments to and/or cancellation of the claims should in no way be construed as an acquiescence to any of the Examiner's objections and/or rejections. The amendments to and/or cancellation of the claims are being made solely to expedite prosecution of the above-identified application. Applicants reserve the option to further prosecute the same or similar claims in the present or another patent application. The amendments made to the claims are not related to any issues of patentability.

In view of the remarks set forth above, it is respectfully submitted that this application is in condition for allowance. If there are any remaining issues or the Examiner believes that a telephone conversation with Applicants' Attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

Date: July 6, 2007

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